

REMARKS

The Office has required restriction to one of the following inventions under 35 U.S.C. § 121:

I. Claims 1-6, drawn to a transgenic animal, cells isolated therefrom, and a method of making the animal, classified in class 800, subclass 13, for instance.

II. Claims 7-20, drawn to a method of identifying an agent which modulates glucose or fat metabolism in vivo comprising measuring glucose and/or lipid levels, classified in class 424, subclass 9.2, for instance.

III. Claims 21 and 38, drawn to a modulator of glucose or fat metabolism identified by the method of group II, unclassifiable because the compound is not defined.

IV. Claims 22-25, 32-33, 39-40, drawn to a method of decreasing fat tissue growth or weight gain by administering an antibody, classified in class 424, subclass 130.1, for instance.

V. Claims 22, 23, 24-26, 32-33, 39-40, drawn to a method of decreasing fat tissue growth or weight gain by administering an antisense RNA, classified in class 514, subclass 44.

VI. Claims 27-30, drawn to a method of determining whether an agent modulates fat tissue growth and/or weight gain in an animal comprising measuring fat tissue growth and/or weight gain, classified in class 424, subclass 9.2, for instance.

VII. Claims 31 and 38, drawn to a modulator of glucose or fat metabolism identified by the method of group VI, unclassifiable because the composition is undefined.

VIII. Claims 34-37, drawn to a method of determining whether an agent modulates obesity in an animal comprising assessing obesity, classified in class 424, subclass 9.2.

IX. Claim 38, drawn to a modulator of glucose and/or fat metabolism identified by the method of group VIII, unclassifiable because the composition is undefined.

X. Claim 41, drawn to a method of identifying an agent which modulates glucose and/or fat metabolism in vivo comprising assessing binding of a portion of eIF-4E and a peptide in the presence or absence of the agent, classified in class 424, subclass 9.2.

Applicants hereby elect Group II (claims 7-20) without traverse.

Applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 514012000400. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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